

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

HERB PFEIFFER,	:	CIVIL ACTION
Plaintiff	:	
	:	
v.	:	NO. 10-2665
	:	
BOROUGH OF	:	
SLATINGTON, et al.,	:	
Defendants	:	

ORDER

AND NOW, this 7th day of October, 2010, upon consideration of the defendant's motion to dismiss (Document #6), the plaintiff's response thereto (Document #9), and the defendant's reply (Document #12), it is hereby ORDERED that:

1. The motion is GRANTED.
2. Counts One and Two are dismissed with prejudice.
3. Counts Three, Four, and Five are dismissed without prejudice.

The Clerk of Court is directed to mark this case CLOSED for all purposes.

BY THE COURT:

/s/ Lawrence F. Stengel
LAWRENCE F. STENGEL, J.